

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENWOOD DIVISION

William B. Gray, III, d/b/a Greenwood)	
Clinic of Chiropractic; B and K Services)	
Inc., individually and for the benefit and)	
on behalf of all others similarly situated,)	
)	C/A No. 8:08-cv-1833-GRA
Plaintiffs,)	
)	
vs.)	<u>ORDER</u>
)	(Written Opinion)
Hearst Communications, Inc.; and)	
White Directory Holdings Carolina, LLC,)	
)	
Defendants.)	
_____)	

The matter before the Court involves Plaintiff's Motion to Seal, filed November 6, 2009. Defendants filed no response to Plaintiff's motion. For the reasons listed below, this Court denies Plaintiff's motion.

In *Ashcraft v. Conoco, Inc.*, 218 F.3d 288, 302 (4th Cir. 2000), the Fourth Circuit affirmed its position that "a district court 'has supervisory power over its own records and may, in its discretion, seal documents if the public's right of access is outweighed by competing interests.'" (citing *In re Knight Pub. Co.*, 743 F.2d 231, 235 (4th Cir. 1984)). Though the Court has discretionary authority to seal documents, the Court cannot ignore the presumption in favor of public access. *Ashcraft*, 218 F.3d at 302. Therefore, in order to seal documents, the Court must: "(1) provide public notice

of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives." *Id.*

Giving due weight to the presumption that favors public access, this Court feels that sealing the documents would not be the most prudent direction to follow. Having viewed the records, this Court is of the opinion that alternatives, less drastic than sealing the documents (such as redaction), can be effectively used.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Seal is DENIED.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "G. Ross Anderson, Jr.", written over a horizontal line.

G. Ross Anderson, Jr.
Senior United States District Judge

February __1__, 2010
Anderson, South Carolina